

# Exhibit C

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division**

ELIZABETH SINES, SETH WISPELWEY,  
MARISSA BLAIR, APRIL MUÑIZ, MARCUS  
MARTIN, NATALIE ROMERO, CHELSEA  
ALVARADO, JOHN DOE, and THOMAS  
BAKER,

Plaintiffs,

v.

JASON KESSLER, et al.,

Defendants.

**Civil Action No. 3:17-cv-00072-NKM  
JURY TRIAL DEMANDED**

**DECLARATION OF MICHAEL L. BLOCH**

I, Michael L. Bloch, on this 17<sup>th</sup> day of October, 2021, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am Counsel at the law firm Kaplan, Hecker & Fink LLP (“KHF”), one of the law firms representing the Plaintiffs in this action.
2. I am a member in good standing of the New York State Bar. I am also admitted to practice before the U.S. District Court for the Southern District of New York. I have been admitted to appear *pro hac vice* before this Court for and on behalf of the Plaintiffs in the above-captioned action.
3. On September 7, 2021, Defendants Jeffrey Schoep and National Socialist Movement filed their witness list, which disclosed that they planned to call a man named Rick Eaton to testify at trial as an expert witness. (ECF No. 1046)
4. On September 14, 2021, my colleague Roberta Kaplan reached out to Mr. Eaton via email to notify him that he had been listed as an expert and to inquire whether he

intended to testify at trial. I was copied on this email, a true and accurate copy of which is attached hereto as Appendix A.

5. On September 20, 2021, we received a response from Mr. Eaton, who indicated that he had not been retained by Mr. ReBrook, counsel for Defendants Jeffrey Schoep and National Socialist Movement, and did not plan on being involved in the above captioned matter.
6. On September 21, 2021, I reached out to Mr. ReBrook by email, forwarding the correspondence with Mr. Eaton and asking whether Mr. ReBrook would withdraw Mr. Eaton from his witness list.
7. On September 22, 2021, Defendants Schoep and National Socialist Movement filed an amended witness list, in which Mr. Eaton was removed as a witness and Daryl Davis was newly listed. (ECF No. 1107)

Executed on: October 17, 2021  
New York, N.Y.

Respectfully submitted,



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Michael L. Bloch

# Appendix A

**From:** [Michael Bloch](#)  
**To:** [Charlottesville External](#); [z/Project X – Charlottesville](#); [GRP-Charlottesville](#)  
**Subject:** FW: ex: Elizabeth Sines v. Jason Kessler, No. 3:17-cv-00072-NKM  
**Date:** Tuesday, September 21, 2021 3:54:59 PM

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**Michael Bloch | Kaplan Hecker & Fink LLP**

Counsel  
350 Fifth Avenue | 63rd Floor  
New York, New York 10118  
(W) [929.367.4573](tel:929.367.4573) | (M) [646.398.0345](tel:646.398.0345)  
[mbloch@kaplanhecker.com](mailto:mbloch@kaplanhecker.com)

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**From:** Michael Bloch  
**Sent:** Tuesday, September 21, 2021 3:55 PM  
**To:** Edward ReBrook, ESQ <[rebrooklaw@gmail.com](mailto:rebrooklaw@gmail.com)>  
**Subject:** FW: ex: Elizabeth Sines v. Jason Kessler, No. 3:17-cv-00072-NKM

Mr. ReBrook,

We received the below communication from Rick Eaton, the proposed expert listed on your witness list. As you can see, he represents to us that he has not been retained by you and has “no plans to be involved.” In addition to the substantial legal barriers to your adding an expert at this late stage, as detailed in my September 14 email to you and which we discussed on the phone yesterday, it appears to be exceedingly unlikely as a factual matter that Mr. Eaton will be testifying as an expert or fact witness in this case. Accordingly, as we requested yesterday, please confirm by the end of the day today that you will withdraw Mr. Eaton from your witness list, so that we can avoid unnecessary motion practice on this issue. Thanks.

**Michael Bloch | Kaplan Hecker & Fink LLP**

Counsel  
350 Fifth Avenue | 63rd Floor  
New York, New York 10118  
(W) [929.367.4573](tel:929.367.4573) | (M) [646.398.0345](tel:646.398.0345)  
[mbloch@kaplanhecker.com](mailto:mbloch@kaplanhecker.com)

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**From:** Rick Eaton <[reaton@wiesenthal.com](mailto:reaton@wiesenthal.com)>  
**Sent:** Monday, September 20, 2021 3:39 PM  
**To:** Roberta Kaplan <[rkaplan@kaplanhecker.com](mailto:rkaplan@kaplanhecker.com)>  
**Cc:** Michael Bloch <[mbloch@kaplanhecker.com](mailto:mbloch@kaplanhecker.com)>  
**Subject:** Re: ex: Elizabeth Sines v. Jason Kessler, No. 3:17-cv-00072-NKM

EXTERNAL SENDER

No, I have not been retained and have no plans to be involved.

Sent from my iPad

On Sep 14, 2021, at 4:45 PM, Roberta Kaplan <[rkaplan@kaplanhecker.com](mailto:rkaplan@kaplanhecker.com)> wrote:

Dear Mr. Eaton:

I am writing in connection with the above-captioned matter, set to go to trial in Charlottesville next month. I am one of the attorneys for the plaintiffs in the case.

Your name appears on the attached witness list for trial submitted last week, which notes that you are “an expert witness to the activities of the defendants and how they operated.”

If, in fact, you have been retained by Mr. ReBrook or anyone else to testify as an expert in this case, please disregard this email.

I am reaching out because I suspect that you may not be aware that your name appeared on the attached list. If that is true, and you have *not* been retained by defendants as an expert in this case, I would appreciate a few minutes of your time to discuss.

Very truly yours,

**Roberta Kaplan | Kaplan Hecker & Fink LLP**

350 Fifth Avenue | 63rd Floor  
New York, New York 10118  
(W) [212.763.0883](tel:212.763.0883)  
[rkaplan@kaplanhecker.com](mailto:rkaplan@kaplanhecker.com)

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CAUTION: This is an external email: is it safe?

<ECF 1046 - ReBrook Witness List.pdf>

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